



Date: April 23, 2018

To: Fred Bruyns, Rules Coordinator

From: Lorrie Baker, Worker Leasing Compliance Specialist

Subject: Proposed changes to OAR 436-180

The division proposed adoption of OAR 436-180 on March 29, 2018. The Worker Leasing Program recommends combining OAR 436-180-150(1)(c) and (d) to clarify that the seven-year timeframe applies to all payroll and personnel records required by rule.

The current version of OAR 436-050-0450(1) requires worker leasing companies to maintain:

“(d) Payroll records for the most recent seven years for all workers that identify leased workers subject to coverage by the worker leasing company; leased workers not subject to coverage by the worker leasing company; and, written records for all regular and temporary employees of the worker leasing company.”

In the proposed OAR 436-180-150(1), this requirement was separated into two distinct requirements; however, the seven-year timeframe was not included in both. To correct this drafting error, the final rule should be amended as follows:

“(c) Payroll records for the most recent seven years for all workers; including ~~the~~
~~(d) R~~ records that identify the name, hire date, termination date, and client location for:

- (A) All leased workers subject to coverage by the worker leasing company;
- (B) Leased workers not subject to coverage by the worker leasing company; and
- (C) All non-leased workers employed by the worker leasing company, including administrative staff and workers provided to clients on a temporary basis.”